IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.283 OF 2007

Gulabadevi Suryanath Dubey and anr. ...Appellants

vs.

Gaurishankar Prabhunath Shukla ...Respondent

Mr.Santosh Shetty i/b M/s.M.P.Vashi for the Appellants
Mr.Anil Mishra for the Respondent.

CORAM: A.S.OKA,J.
DATE : JUNE 12, 2007.

P.C.:

1. The learned Advocate for the Appellants has tendered on record a true copy of the reasoned order dated 4th April 2007. By the said order, the Trial Court has declined to grant relief of ad-interim injunction in favour of the Appellants.

2. After having heard the learned Advocates for the parties, I find that no case is made out for interference with the discretionary order passed at ad-interim stage. In any event, from 4th April 2007, there is no ad-interim relief granted in favour of the Appellants. The grounds on which ad-interim relief is rejected are certainly relevant for considering the prayer for grant of ad-interim relief. The Notice of Motion will have to be heard expeditiously. It is obvious that the observations made in the impugned order are for limited purpose of considering the prayer for ad-interim injunction and the trial court will not be influenced by the reasons

recorded in the impugned order while deciding the Notice of Motion on merits.

3. Hence, I pass the following order :

i) Appeal is dismissed with no order as to costs.

ii) Hearing of the Notice of Motion is expedited.

iii) All contentions of the parties on merits in the pending Notice of Motion are expressly kept open.

JUDGE